

Thomas Jefferson Runaldue
Application No.: 10/817,582
Page 2

IN THE DRAWINGS:

Please replace sheet 1 with the attached replacement sheet 1.

REMARKS

Claims 1-3 and 5-21 are pending in the application. Claims 1-21 have been examined. Claims 1, 8-10, 13, 15-16 and 19 are rejected, claims 2-7, 11-12, 14, 17-18 and 20-21 are objected to, and claim 18 is allowed. Claims 1, 16 and 19 have been amended to more clearly define the invention. Claim 4 has been canceled. Reconsideration and allowance of the claims are respectfully requested.

THE DRAWINGS

FIG. 1 has been amended to include the legend "Prior Art".

THE CLAIMS

Allowed claim 18

Applicant notes with appreciation the allowance of claim 18.

Objected to claim 2-7, 11-12, 14, 17 and 20-21

Claims 2-7, 11-12, 14, 17 and 20-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Independent claim 1 has been amended to include the limitations of objected to claim 4. Claim 4 has been canceled as a result. Applicant submits that claim 1 is now allowable and that claims 2-3 and 5-15, which are all dependent on claim 1, are also allowable.

Independent claim 16 has been amended to include the limitations of objected to claim 4. Applicant submits that claim 16 is now allowable and that claim 17, which is dependent on claim 16, is also allowable.

Independent claim 19 has been amended to include the limitations of objected to claim 4. Applicant submits that claim 19 is now allowable.

Rejection of Claims 1, 8-10, 13, 15-16 and 19 Under 35 U.S.C. §102(b)

Claims 1, 8-10, 13, 15-16 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Agee (U.S. Patent No. 6,128,276). The rejection states that Figure 7B of Agee discloses all of the limitations of claims 1, 8-10, 13, 15-16 and 19.

Applicant submits that Agee does not describe all of the limitations of original claim 1 for at least the following reasons. First, the output of BPF₁ 182 in Figure 7B is not a sequence of phase values, as the rejection states. Rather, BPF₁ 182 receives a portion of the receiver input signal from splitter 181 and provides a filtered signal. Second, ADC 190 in Figure 7B is not a digital clock generator that generates a digital clock signal based on the first analog signal, as the rejection states. Rather, ADC 190 simply digitizes the analog signal at its input and provides a digital signal (but not a clock signal).

However, to expedite the prosecution of the present application, claim 1 has been amended to include the limitations of objected to claim 4. Thus, claims 1, 8-10, 13 and 15 should be allowable. Independent claims 16 and 19 have each been amended to include the limitations of objected to claim 4. Thus, claims 16 and 19 should also be allowable.

Accordingly, the §102(b) rejection of claims 1, 8-10, 13, 15-16 and 19 should be withdrawn.

CONCLUSION

Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (650) 289-0600.

Respectfully submitted,



Truong T. Dinh
Reg. No. 40,993